

Message Text

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FOR ARA ONLY

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SUBJ: 1978 COUNTRY REPORT ON HUMAN RIGHTS PRACTICES: COSTA RICA

REF: STATE 215083

FOLLOWING IS THE 1978 REPORT FOR COSTA RICA, FOLLOWING THE
FORMAT IN REFTEL:

(1) SETTING. COSTA RICA'S HUMAN RIGHTS RECORD IS EXEMPLARY. ITS STRONG DEMOCRATIC AND ANTI-MILITARISTIC TRADITIONS HAVE MADE THIS COUNTRY INCREASINGLY 'DIFFERENT' IN THE LATIN AMERICAN AND, ESPECIALLY, THE CENTRAL AMERICAN MILIEU. AS BASIC TENETS OF ITS INTERNAL POLITICS, HUMAN RIGHTS AND DEMOCRACY HAVE ALSO BECOME A GUIDING PRINCIPLE OF ITS FOREIGN POLICY (AND MAJOR CLAIM TO WORLD ATTENTION). BOTH THE PRESENT AND PREDECESSOR GOVERNMENTS HAVE FORCEFULLY SUPPORTED THE US HUMAN RIGHTS POLICY AND HAVE WELCOMED US GOVERNMENT REQUESTS FOR CONSULTATION ON INTERNATIONAL PROBLEM SITUATIONS SUCH AS THAT EARLIER IN 1978 IN THE DOMINICAN REPUBLIC. COSTA RICAN GOVERNMENTS HAVE ALSO LED IN SUCH INITIATIVES AS THE ESTABLISHMENT OF THE INTER-AMERICAN HUMAN RIGHTS COURT IN SAN JOSE AND THE CREATION OF THE POST OF HIGH COMMISSIONER FOR HUMAN RIGHTS AT THE UN.

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(2) RESPECT FOR THE INTEGRITY OF THE PERSON. THE GOVERNMENT OF COSTA RICA DOES NOT ENGAGE IN TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT, ARBITRARY ARREST OR IMPRISONMENT, DENIAL OF A FAIR PUBLIC TRIAL, OR INVASION OF THE HOME. THE COSTA RICAN GOVERNMENT, HOWEVER, HAS RECOGNIZED THAT THE CONDITION OF MOST OF THE COUNTRY'S PRISONS IS VERY POOR, "INHUMAN" IN THE WORDS OF A REPORT MADE PUBLIC IN EARLY SEPTEMBER, 1978,

BY THE INTERIOR MINISTRY. AT THE SAME TIME, A 100 MILLION COLON (\$11.7 MILLION) FOUR-YEAR PROGRAM OF PRISON CONSTRUCTION AND IMPROVEMENTS, DESIGNED TO BRING THE SYSTEM UP TO AN ACCEPTABLE LEVEL, WAS ANNOUNCED.

THE ONLY DEVIATION FROM COSTA RICA'S RECORD OF WHICH WE ARE AWARE HAS BEEN IN THE OCCASIONAL DETENTION OF US CITIZENS FOR SHORT PERIODS (LESS THAN 24 HOURS) WITHOUT CLEARLY DEFINED LEGAL CHARGES. UNDER COSTA RICAN LAW, HOWEVER, AUTHORITIES MAY HOLD A PERSON FOR UP TO 62 HOURS WITHOUT CHARGE, AND IT IS THEREFORE DIFFICULT TO CLASSIFY THE ABOVE INSTANCES AS CLEAR EXAMPLES OF ARBITRARY ARREST AND DETENTION.

(3) GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT OF SUCH VITAL NEEDS AS FOOD, SHELTER, HEALTH CARE AND EDUCATION. THE COSTA RICAN GOVERNMENT HAS BEEN CONSCIENTIOUS IN ITS EFFORTS TO REDUCE BOTH RURAL AND URBAN POVERTY BY PROVIDING SOCIAL SERVICES AND GENERATING EMPLOYMENT WHICH WILL PROMOTE A MORE EQUITABLE INCOME DISTRIBUTION. RECENT EXAMPLES OF COSTA RICAN GOVERNMENT ACTIONS IN THIS REGARD ARE ASSISTANCE TO SMALL LABOR-INTENSIVE INDUSTRIES, CONSTRUCTION OF LOW-COST HOUSING FOR THE POOREST URBAN POPULATION, AND DEVELOPMENT OF THE ASIGNACIONES FAMILIARES WELFARE SYSTEM. IN THE HEALTH FIELD EMPHASIS HAS BEEN PLACED

INTEGRATING FAMILY PLANNING SERVICES INTO GENERAL HEALTH CARE PROGRAMS. POPULATION PLANNING AND FOOD AND NUTRITION PROGRAMS
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HAVE BEEN EXTENDED TO THE RURAL AREAS. MEDICAL SERVICES THROUGH THE NATIONAL SOCIAL SECURITY SYSTEM REACH A LARGE AND EXPANDING SEGMENT OF THE POPULATION. THE COSTA RICAN EDUCATION SYSTEM IS ONE OF THE BEST IN LATIN AMERICA. COSTA RICANS HAVE LONG BEEN PROUD OF THE FACT THAT THEY SPEND MORE FOR EDUCATION THAN FOR DEFENSE.

(4) RESPECT FOR CIVIL AND POLITICAL LIBERTIES. COSTA RICAN CONSTITUTIONAL GUARANTEES OF FREEDOM OF THOUGHT, SPEECH, THE PRESS, RELIGION, AND ASSEMBLY ARE FULLY RESPECTED, AS ARE PROVISIONS FOR FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN TRAVEL, AND EMIGRATION. DEMOCRATIC PROCESSES ASSURING THE FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS ARE ALSO PROVIDED FOR IN THE COSTA RICAN CONSTITUTION AND RESPECTED FULLY IN PRACTICE. (THE FEBRUARY, 1978, NATIONAL ELECTIONS AGAIN DEMONSTRATED COSTA RICA'S COMMITMENT TO A GENUINE, AND LIVELY DEMOCRATIC PROCESS: THE LIBERATION PARTY, WHICH HAD GOVERNED THE COUNTRY FOR EIGHT YEARS UNDER TWO PRESIDENTS, WAS TURNED OUT IN FAVOR OF AN OPPOSITION COALITION. THE NEW PRESIDENT, RODRIGO CARAZO, WAS INAUGURATED 8 MAY AS PART OF AN ORDERLY, CONSTITUTIONAL AND PEACEFUL TRANSITION OF POWER.) LABOR MOVEMENTS ARE FREE TO ORGANIZE AND ENGAGE IN CONCERTED ACTIVITY TO ACHIEVE ECONOMIC

OBJECTIVES; THE RIGHT TO STRIKE EXISTS, BUT IS SUBJECT TO
CONDITIONS SPECIFIED IN THE LABOR CODE.

(5) GOVERNMENT WTTVTUDE AND RECORD REGARDING INTERNATIONAL AND
NON-GOVERNMENTAL INVESTIGATION OF ALLEGED VIOLATIONS OF HUMAN
RIGHTS. WE ARE NOT AWARE OF ANY REQUEST FOR INVESTIGATION OF
HUMAN RIGHTS IN COSTA RICA. WE BELIEVE THAT SUCH A REQUEST, IF
NOT FRIVOLOUS,SWOULD BE APPROVED BY THE COSTA RICAN GOVERNMENT.
THE GOCR HAS EXTENDED A STANDING INVITATION TO THE INTER-AMERICAN
HUMAN RIGHTS COMMISSION TO VISIT WHENEVER IT WISHES.
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